

As a consumer of digital content, I have a grave concern about the proposed Broadcast Flag. I enjoy the flexibility and control that technology gives me. I can be more than a passive recipient of content; I can modify, create and participate. Technology currently gives me more choices by allowing me to record a television program and watch it later; clip a small piece of TV and splice it into a home movie; send an email clip of my child's football game to a distant relative; or record a TV program onto a DVD and play it at my friend's apartment. The broadcast flag seems designed to remove this control and flexibility that I enjoy.

I have more than \$20,000 invested in HDTV projection equipment. Please don't vote to obsolete my investment. I am a pioneer here and the industry wants to penalize me for that. I have two personal video recorders that allow me to watch enjoyable programs when I have time to watch. This is in contrast to the unmitigated crap that normal network television and Hollywood would like us to believe is entertainment. Now Hollywood thinks I'm a criminal because I don't go to the movies, I listen to Internet radio, and I skip commercials. Please don't let the entertainment industry sway you away from a decision that is good for people in general instead of the business of providing content.

In the early days of radio and TV, it was mandated that it be used for the public good. Advertising was allowed to help pay for the cost of providing the service. Now, I pay \$60 per month for Satellite TV that has 20 minutes of content per hour of schedule. Now the industry wants to control WHEN I can watch their program. Where will it stop? The FCC must take the good of the consumer into mind when making this decision.

Historically, the law has allowed for those not affiliated with creating content to come up with new, unanticipated ways of using it. For example, Sony invented the modern VCR -- a movie studio did not. (Sony did not own a movie studio at the time.) Diamond Multimedia invented the MP3 player -- a recording label did not. Unfortunately, the broadcast flag has the potential to put an end to that dynamic. Because the broadcast flag defines what uses are authorized and which are not, unanticipated uses of content which are not foreseeable today are by default unauthorized. If we allow the content industry to "lock in" the definition of what is and is not legitimate use, we curtail the ability for future innovation - unanticipated but legal uses that will benefit consumers.

I am a law-abiding consumer who believes that piracy should be prevented and prosecuted. However, if theoretical prevention comes at the cost of prohibiting me from making legal, personal use of my content, then the FCC should be working to protect all consumers rather than enable those who would restrict consumer rights. In the case of the broadcast flag, it seems that it will have little effect on piracy. With file-sharing networks, a TV program has only to be cracked once, and it will propagate rapidly across the Internet. So, while I may be required to purchased consumer electronic devices that cost more and allow me to do less, piracy will not be diminished.

In closing, I urge you to require the content industry to demonstrate that its proposed technologies will allow for all legal uses and will actually achieve the stated goal of preventing piracy. If they cannot, I urge you not to mandate the broadcast flag.